

1 HONORABLE THOMAS O. RICE  
2

3 ROBERT L. CHRISTIE, WSBA #10895  
4 CHRISTIE LAW GROUP, PLLC  
5 2100 Westlake Avenue N., Suite 206  
6 Seattle, WA 98109  
7 Telephone: (206) 957-9669  
8

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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF WASHINGTON  
12

13 MARK PETERSON, an individual,  
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15 Plaintiff,

16 v.  
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18 CITY OF YAKIMA, a local  
19 governmental Entity; TONY  
20 O'ROURKE, an individual human;  
21 MARK SOPTICH, an individual  
human; and ANTHONY DOAN, an  
individual human,  
22

Defendants.

NO. 1:18-CV-03136-TOR

JOINT PROPOSED NEUTRAL  
STATEMENT OF THE CASE

18 The parties jointly propose the following neutral statement of the case:  
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JOINT PROPOSED NEUTRAL  
STATEMENT OF THE CASE  
(1:18-CV-03136) - 1

CHRISTIE LAW GROUP, PLLC  
2100 WESTLAKE AVENUE N., SUITE 206  
SEATTLE, WA 98109  
206-957-9669

1        This is a civil case arising from a fire code inspection of H&H Furniture and  
2 the City's subsequent criminal prosecution of Mark Peterson, who is the owner of  
3 H&H Furniture. Mr. Peterson asserts that defendant Tony O'Rourke, who was then  
4 the City Manager, directed the fire inspection of H&H Furniture and the subsequent  
5 prosecution of Mark Peterson in retaliation for Mr. Peterson's free speech. Mr.  
6 Peterson also asserts that defendants Mark Soptich, the Deputy Fire Chief at the  
7 time, defendant Tony Doan, the Fire Inspector and Mr. O'Rourke maliciously  
8 prosecuted him and engaged in civil conspiracy. Mr. Peterson alleges that, as a result  
9 of this retaliation and/or malicious prosecution, he suffered economic and emotional  
10 damages. Defendants City of Yakima, Mr. O'Rourke, Mr. Soptich, and Mr. Doan  
11 deny Mr. Peterson's claims. They assert that the fire inspection was part of the City's  
12 standard fire inspection program, and that Mr. Peterson was prosecuted because he  
13 refused to allow the City to conduct a follow-up inspection.

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JOINT PROPOSED NEUTRAL  
STATEMENT OF THE CASE  
(1:18-CV-03136) - 2

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SEATTLE, WA 98109  
206-957-9669

DATED this 29<sup>th</sup> day of August, 2022.

CHRISTIE LAW GROUP, PLLC

By /s/ Robert L. Christie  
ROBERT L. CHRISTIE, WSBA #10895  
Attorney for Defendants City of  
Yakima, Tony O'Rourke, Mark  
Soptich, and Anthony Doan  
2100 Westlake Avenue N., Suite 206  
Seattle, WA 98109  
Telephone: (206) 957-9669  
Fax: (206) 352-7875  
Email: bob@christielawgroup.com

By /s/ Casey M. Bruner  
Matthew Z. Crotty, WSBA #39284  
CROTTY & SON LAW FIRM, PLLC  
905 W. Riverside Ave., Suite 404  
Spokane, WA 99201  
Email: matt@crottyandson.com  
Attorney for Plaintiff

Matthew A. Mensik, WSBA #44260  
Casey M. Bruner, WSBA # 50168  
WITHERSPOON KELLEY  
422 W. Riverside Avenue, Suite 1100  
Spokane, WA 99201-0300  
Email: cmb@witherspoonkelley.com  
mam@witherspoonkelley.com  
Attorneys for Plaintiff

JOINT PROPOSED NEUTRAL  
STATEMENT OF THE CASE  
(1:18-CV-03136) - 3

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SEATTLE, WA 98109  
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2                   **CERTIFICATE OF SERVICE**  
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4  
I hereby certify that on August 29, 2022, I electronically filed the foregoing  
5 with the Clerk of the Court using the CM/ECF system which will send notification  
6 of such filing to the following:  
7

8  
Matthew Z. Crotty, WSBA #39284  
9 CROTTY & SON LAW FIRM, PLLC  
10 905 W. Riverside Ave., Suite 404  
11 Spokane, WA 99201  
12 Email: [matt@crottyandson.com](mailto:matt@crottyandson.com)  
13 Attorney for Plaintiff

14  
Matthew A. Mensik, WSBA #44260  
15 Casey M. Bruner, WSBA # 50168  
16 WITHERSPOON KELLEY  
17 422 W. Riverside Avenue, Suite 1100  
18 Spokane, WA 99201-0300  
19 Email: [cmb@witherspoonkelley.com](mailto:cmb@witherspoonkelley.com)  
20 [mam@witherspoonkelley.com](mailto:mam@witherspoonkelley.com)  
21 Attorneys for Plaintiff

22                   CHRISTIE LAW GROUP, PLLC

23  
By /s/ Robert L. Christie  
24 ROBERT L. CHRISTIE, WSBA # 10895  
25 Attorney for Defendants City of Yakima,  
26 Tony O'Rourke, Mark Soptich, and  
27 Anthony Doan  
28 2100 Westlake Avenue N., Suite 206  
29 Seattle, WA 98109  
30 Telephone: (206) 957-9669  
31 Fax: (206) 352-7875  
32 Email: [bob@christielawgroup.com](mailto:bob@christielawgroup.com)